

**ASSEMBLY BILL**

**No. 364**

**Introduced by Assembly Member Maddox**

February 14, 2003

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An act to amend Section 21228 of the Government Code, relating to public employees' retirement.

LEGISLATIVE COUNSEL'S DIGEST

AB 364, as introduced, Maddox. Public employees' retirement: disability retirement.

The Public Employees' Retirement Law provides that a person who is retired for disability may be reemployed without reinstatement from retirement subject to certain conditions.

This bill would make technical, nonsubstantive changes to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 21228 of the Government Code is  
2 amended to read:  
3 21228. A person retired for disability who has not attained the  
4 mandatory age for retirement applicable to persons in the  
5 employment in which he or she will be employed, and whom the  
6 board finds *is* not disabled for that employment, may be employed  
7 by any employer without reinstatement from retirement in a  
8 position other than that from which he or she retired or a position  
9 in the same member classification. His or her disability retirement

1 pension shall be reduced during that employment to an amount  
2 that, when added to the compensation received, shall equal the  
3 maximum compensation earnable by a person holding the position  
4 that he or she held at the time of his or her retirement. ~~Any~~ *That*  
5 employment shall terminate upon his or her attainment of the  
6 mandatory retirement age for persons in that employment.

